

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-CR-20552-DAMIAN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID RIVERA and
ESTHER NUHFER,

Defendants.

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ORDER SETTING TRIAL DATE

THIS CAUSE is before the Court following a Status Conference held on April 3, 2025, at which the United States of America and Defendants, David Rivera and Esther Nuhfer, appeared with their counsel. As discussed on the record, it is hereby

ORDERED AND ADJUDGED as follows:

1. Defendants' *ore tenus* Motion to Continue Trial is **GRANTED**. Finding that the grounds asserted for a continuance sufficiently demonstrate cause, the Court finds the interests of justice served by a continuance outweigh any interest of the public or the Defendants in a speedy trial. As a result, the period of delay resulting from this continuance – *i.e.*, from the date of the *ore tenus* Motion, April 3, 2025, to and including the date trial commences – is excludable time under the Speedy Trial Act. *See* 18 U.S.C. § 3161.

2. All pretrial motions and motions *in limine* must be filed by **January 20, 2026**. Each party is limited to filing one motion *in limine*; if there is more than one Defendant, Defendants shall file a combined motion. Motions *in limine* may exceed the page limits allowed by the Rules.

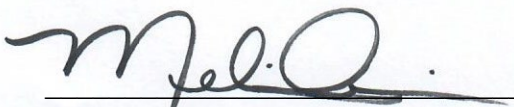
3. The deadline for the tendering of guilty pleas is **January 26, 2026**. *See* United States Sentencing Commission Guidelines Manual, §3E1.1 application notes l(h) and 6 (“[to] qualify under subsection (b)(2) the defendant must have notified authorities of his intention to enter a plea of guilty at a sufficiently early point in the process so that the government may avoid preparing for trial and the court may schedule its calendar efficiently.”); *see also, e.g., United States v. Gamboa*, 166 F.3d 1327, 1331 (11th Cir. 1999) (citing *United States v. Ellis*, 547 F.2d 863, 868 (5th Cir. 1977)).

4. Given the length of the trial, this Court finds that a Special Setting of the Trial is warranted. Therefore, the case is Special Set for **Jury Trial** to begin on **February 9, 2026**. Calendar call will be held on **Tuesday, February 3, 2026, at 1:30 p.m.** The Trial will be held in Miami, Florida. The specific courtroom location will be provided in advance of the Calendar Call.

NO FURTHER CONTINUANCES OR EXTENSIONS WILL BE GRANTED absent compelling circumstances.

To the extent the Court made additional or more detailed rulings on the record that are not memorialized in this written Order, those rulings are binding on the parties as set forth on the record.

DONE AND ORDERED in Chambers in the Southern District of Florida, this 7th day of April, 2025.



MELISSA DAMIAN
UNITED STATES DISTRICT JUDGE

cc: counsel of record